

September 10, 2007

The Common Council met as the Water Utility Board at 7:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Knowles presiding and members Askren, Tucker, Rueger, and Curtis attending. Board member Cooper was not present. Others attending were Attorney Higgins; Attorney Funkhouser; Supt. Gray; Comm. Epison; Chief Beloit; Asst. Chief Harms; Jesse Montgomery; Andy and Nancy Hoehn; Shane and Lindsay Suits; Kay Kilgore; Judy Angermeier; Jim Powers; Brandon and Glenda Bullard; Ann Blackburn; Sis Claxton; Roy Maynard; Cecil Waters; Geneva James; Yvette Waller; Larry Williams; Ed and Glenda Adams; Becky Higgins.

Mayor Knowles called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. She added if not, she entertains a motion to waive their reading and to approve the minutes as presented.

Board member Askren moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Curtis.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles reminded the Audience that anyone wishing to address the Board should approach the podium and state their name and the nature of their business.

Mayor Knowles requested action on the claims presented.

Board member Rueger moved the claims presented be allowed for payment. Seconded by Board member Tucker.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

*****CLAIMS*****

Mayor Knowles stated they will now hear the report of the Water Superintendent.

Supt. Gray stated he is happy to say he has no report this evening.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles stated they have the Financial Report and any questions could be directed to Clerk-Treasurer Wolfe.

Mayor Knowles asked if the Clerk-Treasurer had any Communications for the Board ?

Clerk-Treasurer Wolfe replied the plan for the filters has been sent to the State and approved.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles stated on the Legal portion of the Agenda is consideration of the Resolution of the Mount Vernon, Indiana Utility Board Concerning Licensed Plumbers. She reminded the Board this Resolution was presented at the last meeting by Mr. Menke. Attorney Higgins stated she has not had a chance to look over this Resolution. Board member Curtis suggested Attorney Higgins review the Resolution and it be taken up at the next meeting.

Mayor Knowles asked if there were any other Legals for consideration ?

Attorney Higgins stated the PDA with Johnson Controls that was approved at the last meeting, she should receive the final version from Johnson Controls tomorrow. She added the Board needs to authorize a member to sign on their behalf.

Board member Curtis moved Board member Tucker be authorized to sign, in the absence of Board member Cooper. Seconded by Board member Rueger.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles asked if anyone in the Audience wished to address the Board ?

Yvette Waller approached and stated she has a garage at 920 E. 2nd Street, where she had had a trailer some years ago. She explained there is a meter pit there but the meter itself had been removed and the pit filled in with sand. She added to replace the meter would cost \$2,000 and she is just requesting that water service be restored to that address, for the garage only.

Supt. Gray agreed the meter setter is still there, but yes, the old pit was filled with sand, the pit is there. He added the ordinance states there will be a tap fee if the service is changed in any way. He also stated there will be no sewer service at the location. He then stated there could be some leeway in the ordinance so is asking the Board for guidance.

Board member Askren asked if Ms. Waller is living on the property ?

Ms. Waller replied no, no one has lived on the property since 1975. She added the garage was put up two years ago.

Board member Tucker asked what kind of leeway the Board can give ?

Supt. Gray replied either having Ms. Waller pay the full tap fee, or none at all.

Board member Tucker stated there is also a garage that was put up on Walnut Street, that the folks only wanted water, no sewer.

Supt. Gray replied he is not sure how that was handled, he was not the superintendent at that time.

Board member Curtis asked how soon Ms. Waller needs an answer on this ? He then stated he realizes she does not live there, the lot is too small to build on house on. He added the Board needs to check into the situation to see if there was a precedent set.

1975 was a long time ago, though he feels what they do for one they should do for all.

Supt. Gray stated the actual cost for a tap would be \$650.00, plus the cost of the meter.

Board member Tucker stated Ms. Waller should be commended for taking the empty lot and putting a building on it – taxes are being paid on the property as well. He added with that in mind, he would like to see Ms. Waller get some leeway on the tap fee.

Board member Curtis again stated they should treat everyone the same, set a precedent.

Ms. Waller stated the size of the building is 24' x 30', and there will be no restroom, she only wants water.

Board member Askren stated they need to check into what was done with the garage on Walnut Street and do what they did then.

Board member Curtis stated they need to find out and let Supt. Gray know as soon as possible.

Ms. Waller replied that is fine.

Mayor Knowles asked if anyone else in the Audience wished to address the Board ?

Lindsay Suits approached the podium and stated she had a situation early last week, and she will try to start from the beginning. She explained that she has two young sons, ages two and one, who were experiencing chronic diarrhea symptoms. She added she took them to the doctor and they were tested for possible bacteria/parasites from the Mt. Vernon drinking water supply. She stated the city has had boil orders in the past, and she was not certain if this might have contributed to the problem or not, so she contacted the water department for results of water tests. She stated she did this as a concerned parent, on September 5th, and spoke with a gentleman name Augie who indicated that Supt. Gray was very busy that day. She stated as a result, she was told she would more than likely not get a call back from Supt. Gray that day. Again, she stated at this point, she is still a very concerned parent. On September 4th, she had a conversation with a nurse at her pediatrician's office, this is still a very important issue. Still, Supt. Gray is very busy, and at the end of her conversation with Augie, she was told that he was still a very busy man. She asked him if his being busy was more important than her two little boys' health. She stated during her conversation with Mr. Augie, he told her that he would get in trouble with Supt. Gray if he released any information to her. She stated she has a problem with that, she was asking for public information and it should have been released to her, it should have been information that was readily available. She stated once she did talk with Supt. Gray she told him that she wanted the tests and the results, and she stated he told her that she should not give kids tap water anyway. She added he told her there was nothing wrong with the water, but she wanted something in writing to that effect. She then stated Supt. Gray told her her doctor should not say her boys' health issues were due to the water. Regardless, she wanted the information. She then stated the conversation she had with Supt. Gray took 35 to 40 minutes of her time, and she then had to make a second call in another attempt to get the test results, it should not take that long.

Mrs. Suits continued by stating on Friday, September 7, she went back to the doctor for a routine wellness check only to find out that the Mount Vernon Water Works Superintendent had come by her pediatrician's office in Evansville. She stated Supt. Gray had indicated he was nervous that he would be turned into the State for making bad water. She then stated she was in a state of shock at that point. She added she spoke with the doctor later and he informed her that Supt. Gray had come to the office unannounced, and doctors are very busy men as well. She stated Supt. Gray should have made an appointment with the pediatrician first. She then stated Supt. Gray represented the City, the Water Utility Board when he went into the doctor's office in an upset manner. She added she feels she was disrespected in her phone calls with Supt. Gray, his actions are inexcusable, and would appreciate a written apology. She also stated she feels a written

apology is in order for the pediatrician and his staff as well, as everyone in the office that day witnessed this. She continued by stating Supt. Gray misused the city's time and her time and money as a consumer, toward the quality of water she uses. She added she also feels his pay should be deducted, again, her money was misused. She stated Supt. Gray was fearful he would be sent to the State – those test results speak volumes.

Board member Tucker asked first of all, are the kids ok ?

Ms. Suits replied yes, they just had a virus.

Board member Tucker stated at his point, it sounds like they have a personnel issue....

Supt. Gray approached the podium and stated he does not recall a 35 – 40 minute conversation, and Mrs. Suits got the information she was requesting. He added the water test results are taken to Vanderburgh County Health Department, and during that trip was when he stopped by Mrs. Suits' doctor's office. He added in this case, it is better to test the water instead of stool samples.

Mrs. Suits stated during her conversation with a nurse, she was told to get these test results as one piece of a process of elimination. She added she thought she could quickly make the phone call to the water department and get the test results she needed. She added she did this on her own.

Board member Askren asked what information she was actually wanting ?

Mrs. Suits replied she was not sure – she wanted to see tests and results on any possible boil orders that had been issued around the time the boys were ill. She added she thought she could deduce from there when there were boil orders going on in Mount Vernon.

Board member Curtis added he agrees with Board member Tucker, this is a personnel issue and should be taken up privately. He added Mrs. Suits has done a good job presenting her information and now the Utility Board needs to come together and inform Mrs. Suits of their decision.

Mrs. Suits stated if an apology is ordered, she would like it in a timely fashion, possible one to two weeks.

Board member Curtis agreed.

Board member Askren asked if the Executive Session needs advertised in the paper ?

Mayor Knowles replied no, but 48 hours notice must be given before the meeting.

Attorney Higgins stated in the future, if Mrs. Suits needs any other records, there is a law providing for that. She added she would need to go to whichever office she requires, fill out a form to specifically request what she is wanting. She added there is also a time frame in which the city has to respond to the request.

Mayor Knowles stated the Board should advise employees on these procedures.

Board member Curtis asked if Mrs. Suits did end up getting a copy of the test results she was wanting ?

Mrs. Suits replied yes she did, that day. She added regardless, there were other issues besides getting the test results. She then asked the Board if they had any questions ?

Mayor Knowles asked if they had any comments, or how they wished to respond.

Board member Curtis replied they will respond to Mrs. Suits in writing.

Mayor Knowles asked when ?

Board member Curtis replied a week to 10 days at the latest.

Mrs. Suits replied that was fine.

The Executive Session was then set up for Thursday, September 13 at 3:00 p.m.

Mayor Knowles asked if anyone else in the Audience wished to address the Board ?

Mr. Andy Hoehn approached the podium and stated he would like clarification – what is the Utility Board’s position on a city employee assisting in a pediatrician’s office in Evansville ?

Attorney Higgins replied that is all new information to the Board, she is sure they need to give it some thought.

Board member Rueger agreed added they need to do some investigating into this issue via the Executive Session.

Mr. Hoehn again asked what is the position of the Utility Board on employees representing them on this issue, is that ok ?

Board member Askren replied no, but they need to discuss this further and take it all in.

Mr. Hoehn again asked the same question, adding “hypothetically”....

Board member Rueger replied again, they will take this up in the Executive Session.

Attorney Higgins stated the question is very poignant, though Mr. Hoehn indicates it is hypothetical, the issue just came up two minutes ago.

Mr. Hoehn stated he is asking if that is ok ?

Mayor Knowles replied it is not ok with her, on her behalf.

Mr. Hoehn thanked Mayor Knowles for her response and asked once again with the Utility Board’s decision is.

Board member Curtis replied there are too many scenarios here to be able to respond to that, even hypothetically, too many circumstances.

Mayor Knowles added to represent her as Mayor or the City, regardless, there should have been some communication as to what capacity they would represent the Mayor.

Board member Curtis stated he has given his answer.

Mr. Hoehn asked then if any employee can speak on his behalf ?

Mayor Knowles replied not on her behalf.

Mr. Hoehn thanked her for her answer.

Board member Curtis added that question is so wide open – to speak for the city – no, but police officers represent the city constantly.

Mr. Hoehn again stated he wants to know if any city employee is authorized to speak on behalf of the Mayor or the Utility Board ? He added at this point, the pediatrician’s office could file some kind of restraining order against Supt. Gray – they need some parameters here.

Mayor Knowles added her assistant, Mrs. Peerman, does act on her behalf at times – very limitedly.

Mr. Hoehn replied no one should speak on anyone else’s behalf.

Board member Curtis stated he is not going to discuss this any further, they will take it up in the Executive Session.

Mr. Hoehn stated the Utility Board should then be sure that no employee speaks on the city’s behalf. He asked Board member Curtis if he feels that is reasonable ?

Board member Curtis replied yes sir.

Mayor Knowles asked if anyone else wished to address the Board ?

Roy Maynard approached and stated he is a concerned citizen and is pretty obvious that Mrs. Suits’ mother is running for City Council, the Board should remember this when

they are disciplining their employee. He added this will happen quite frequently the next few months; it is not a coincidence (Rosemary !).

Nancy Hoehn then approached and agreed she is running for City Council, but she did not get her grandkids sick. (Mayor Knowles reminded Mr. Maynard that he had not yet been recognized by the Chair, and he should please refrain). There is documented evidence on this, in writing; it has nothing to do with politics. She added there is a water issue in this town, it is public record, not a dream. She stated the doctor said to be sure there was no parasite in the water causing their three weeks of diarrhea. She concluded by stating she does not play politics. (Mayor Knowles stated up to this point this has been handled in a very professional manner, and added Mr. Maynard has not been recognized by the chair. She added the meetings are conducted by Roberts of Rules of Order and this is announced at the beginning of every meeting).

Mr. Maynard asked if they have documented evidence that the water caused that ?

Mrs. Hoehn replied no one accused the water department of causing the issue.

Mayor Knowles stated, as Mr. Maynard approached the podium again, that he had not been recognized by the chair.

Mr. Maynard stated that he has kids too, do not come before the Utility Board about this issue - he held his baby in his arms while it was dying – this is NOT a political issue, period – and added “thank you, Mrs. Knowles “.

Mrs. Suits stated she does not want the Council to feel that she is up at the podium for any reason other than her kids; she has NO control over the political upset. She added she contacted her councilman, privately, about this matter before this evening. She then asked the Board where their heads were ? They are at the point now of tit for tat.

Mayor Knowles replied she did not know that Mrs. Suits and Mrs. Hoehn were related. Board member Curtis replied he did not either.

Mrs. Suits stated the Board should not get confused, what does it matter that her mother is running ? She then asked the Board what that is all about ? She stated they are not representing her kids and when the time comes to vote, she wants someone representing her AND her kids.

Mayor Knowles stated she is sorry this is happening.

Cecil Waters approached the podium and stated he was the Fire Chief during a different administration and he would like to make a clarification. He stated that he is not sure what happened with Supt. Gray, but when he was a department head with the city, he did indeed represent the city of Mt. Vernon. He added it was left up to him and the Mayor as to if he made good decisions and used good judgment, he was trusted by the Mayor at the time to do the right thing. He then thanked the Board and sat down.

Ann Blackburn approached the podium and stated she cares about kids as well, she has grandkids – all she cares about is the water. She added the city is finally moving forward with the help and guidance of Supt. Gray and the Water Utility Board – they are moving in the right direction. She added the water needs stabilizing as they continue to move forward as a community. She stated they are on the right track and Supt. Gray is a good leader and a good man, let us stick to the issue at hand. She added again, he is a good man and has taken the city a long way – he has done a good job.

Mrs. Suits then stated her purpose tonight was only to call attention to one episode that she did not feel was handled very well, that is the issue. She added she feels her situation was handled badly, but it has been a learning process for her and hopefully for Mr. Gray

as well. She added she feels there was misconduct in how the situation was handled. She then thanked the Board for her time and took her seat.

Mayor Knowles asked if anyone else wished to address the Board ?

There was no response.

Mayor Knowles stated under Old Business she has given Attorney Higgins a letter from Crowe Chizek concerning the preliminary work that they now say was not included in the original scope of work. She added there is a bill for work before the TIF work ever started and that they say was now submitted, and that bill has now arrived, though much later than the others. She added it is their decision if the bill gets paid.

Board member Rueger stated he would like to review this and take it up at the next meeting.

Mayor Knowles asked if there was any New Business ?

There was none.

Mayor Knowles stated if there were no further business, she entertains a motion to adjourn.

Board member Rueger moved the meeting be adjourned. Seconded by Board member Curtis.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously and adjourned the meeting.

Rosemary L. Knowles
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer

September 10, 2007

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Knowles presiding and members Askren, Tucker, Rueger, and Curtis attending. Councilman Cooper was not present. Others attending were Attorney Higgins; Attorney Funkhouser; Supt. Gray; Comm. Epison; Chief Beloit; Asst. Chief Harms; Jesse Montgomery; Andy and Nancy

Hoehn; Shane and Lindsay Suits; Kay Kilgore; Judy Angermeier; Jim Powers; Brandon and Glenda Bullard; Jerry Walden; Ann Blackburn; Sis Claxton; Roy Maynard; Cecil Waters; Geneva James; Yvette Waller; Larry Williams; Ed and Glenda Adams; Becky Higgins.

Mayor Knowles called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. She added if not, she entertains a motion to waive their reading and to approve the minutes as presented.

Councilwoman Askren moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilman Curtis.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles reminded the Audience that anyone wishing to address the Council should approach the podium and state their name and the nature of their business.

Mayor Knowles stated they will now hear the reports of the Standing Committees.

Police & Dog Chairman Curtis stated he has no report.

Chief Beloit stated he has no report.

Mayor Knowles asked if there were any questions ?

There were none.

Street & Light Chairman Rueger stated he has no report.

Comm. Epison stated he has no report.

Mayor Knowles asked if there were any questions ?

There were none.

Sewer Chairman Tucker stated he has received a call about a 12" sewer line in District 3 that is leaking raw sewage onto the ground. He added he received another call today on this as well, and he has not spoken with Supt. Givens as of yet.

Mayor Knowles stated she and Supt. Givens had no knowledge until Friday of last week; that was the first they had heard of it. She added Mr. Moss investigated it and found the problem, the line is totally eaten through. She stated it is a major repair – an emergency. She asked Supt. Givens to get two quotes and then proceed with the work. Again, she stated, they had no idea about this issue. She also stated the jail is located on this line and there is no documentation from the past so they really do not even know who owns the line. She added it will be fixed though either today or tomorrow.

Councilman Tucker concluded his report by stating they are aware of the problem and it is getting fixed.

Mayor Knowles asked if there were any questions ?

There were none.

Fire Chairwoman Askren stated she has no report.

Asst. Chief Harms stated he has no report.

Mayor Knowles asked if there were any questions ?
There were none.

Mayor Knowles stated they have the Financial Report before them and any questions could be directed to Clerk-Treasurer Wolfe.

Mayor Knowles asked if the Clerk-Treasurer had any Communications for the Council ?
Clerk-Treasurer Wolfe replied not at this time.

Mayor Knowles stated the first item on the Legal portion of the Agenda is the 3rd Reading of the Ordinance Temporarily Amending Schedule IV: One Way Streets of Chapter 74: Traffic Schedules of the Mt. Vernon Code of Ordinances, relative to the two way stop change on Chestnut Street.

Councilman Rueger moved the ordinance pass on final reading. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions ?
There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;
Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 07-14.

Mayor Knowles stated next for consideration is the 1st Reading of the Amendment of Chapter 114.04, Peddlers, of the Mt. Vernon Code of Ordinances.

Councilman Rueger moved the ordinance pass first reading. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions ?
There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;
Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried.

Councilman Rueger moved the rules be suspended. Seconded by Councilman Curtis.

Mayor Knowles asked if there were any questions ?
There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;
Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried.

Councilman Rueger moved the ordinance pass on second and third readings. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;

Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 07-15.

Mayor Knowles stated the next item is second reading of the proposed ordinance Establishing Salaries and Wages for the Appointed Officers and Employees of the City of Mount Vernon, for the year ending 12/31/08.

Councilman Rueger moved the ordinance pass on second reading. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;

Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried.

Mayor Knowles stated next on the Agenda is the Public Hearing on the Ordinance Establishing Appropriations and Tax Rates for the year ending 12/31/08. Mayor Knowles stated the public hearing is now open and asked if anyone wished to address the Council relative to the public hearing ?

There was no response.

Mayor Knowles then closed the public hearing.

Councilman Rueger moved the ordinance pass on second reading. Seconded by Councilman Curtis.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;

Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried unanimously.

Mayor Knowles state the next item is another public hearing, for the Additional Appropriation in the COIT Fund, relative to the K9 vehicle purchase. She then opened the public hearing by asking if anyone in the Audience wished to address the Council relative to said Ordinance ?

There was no response.

Mayor Knowles then closed the public hearing.

Councilman Rueger moved the ordinance pass second reading. Seconded by Councilwoman Askren.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;

Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried unanimously.

Mayor Knowles stated the next item for consideration the Resolution to Transfer in the Park & Recreation and MVHF Funds, with money transferred from the pension funds as well as the Rainy Day Fund.

Councilman Rueger moved the Resolution be passed. Seconded by Councilman Curtis.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;

Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 07-16.

Mayor Knowles stated next on the Agenda is a Resolution regarding purchase of the Bullard property at the riverfront.

Attorney Funkhouser stated the Council was actually sent a different version of the Resolution than what they will consider tonight. He added this Resolution it actually only to appoint two appraisers of the property, paragraph 7 is different.

Attorney Higgins agreed and added that once the Resolution is passed, then it is the Council's intent to purchase the property. She added the purchase price will not be higher than the average of the two appraisals.

Councilman Tucker stated the Council just transferred \$170,000 to keep the city solvent. He asked where the payment for this property would come from ?

Mayor Knowles replied from the gaming funds, as has always been discussed from the very beginning, no tax money.

Councilman Tucker again stated they need to keep the city solvent, and he is not against the purchase, just the timing of it. He stated the \$140,000 in the gaming fund could help keep the city running.

Mayor Knowles replied that money has been earmarked for the riverfront from the very beginning.

Councilman Curtis agreed but added they could use that money and borrow from it instead of going to a bank to borrow money and pay interest. He then mentioned improvements needed at the water department.

Mayor Knowles replied the water department must operate off of its revenues, it has nothing to do with the riverfront.

Councilman Curtis replied so stipulated.

Councilman Tucker stated that money could be transferred to the General Fund to keep the city services going. Again, he stated, he is not against this, just timing is pretty bad right now.

Mayor Knowles added they will not be paying \$140,000 for the property. She reminded the Council that the city match of grant money will also be paid from the gaming money. Councilman Tucker agreed but added the city is in unusual circumstances right now, with being in the middle of a reassessment and not receiving any tax money.

Mayor Knowles agreed but added the tax money will come.

Councilman Tucker stated he does not want the city to have to pay interest to a bank, this money could help that situation and possibly eliminate the need to borrow money. He added he would like to see an "option to buy" on this property, after the first of the year.

Councilman Curtis stated the taxes have to be mailed by December 15th, there are no rates set yet, and the numbers they are using are two years old. He added he is not sure when the money will come back to the city. He stated the city may be eligible for 80% of what is collected once statements are mailed out.

Mayor Knowles replied that is why she was asking about the annexed area east of town.

Attorney Funkhouser stated it sounds like they need to find a middle ground somewhere. He suggested they pass the Resolution to go forward.

Attorney Higgins stated the county is continuing to talk to major tax payers about paying in advance, they could possibly get a partial settlement. She wondered if they could table until the next meeting, as discussions at the county level are on-going.

Councilman Curtis stated the riverfront project needs to move forward, but right now, money is a concern.

Mayor Knowles added this parcel of land is involved in the first phase of the project.

Councilman Tucker again stated he would like the "option to purchase".

Mayor Knowles added they are already in the design process, construction will begin in the spring and there is demolition that needs to be done. She added some work needs to be done in advance.

Councilman Rueger stated he would not be against an option to purchase, he wants to make both sides happy.

Mayor Knowles stated she feels they need to go forward with the process. She wondered if they could sign an agreement with the sellers that once tax money is received they would then be paid.

Mr. Jerry Walden approached and stated he would encourage the Council to go forward and set a closing date further down the road with the Bullards. He stated they need to get the appraisals, it needs to be iron clad.

Attorney Higgins stated the Council starts this process, but the purchase may not come back before this Board.

Mayor Knowles stated the money has always been there and earmarked for this.

Councilman Rueger stated they can look for a solution until the tax money comes in.

Councilman Curtis stated he remembers several months ago when they were working on budgets, they shot for 5% , now they are hearing they should have kept them at 3 ½%.

He added they are spending money that could be used to pay salaries, etc., contingencies.

Mr. Walden stated if the riverfront was developed years ago, the city would have money, more revenue, to fund these things. He added the riverfront is a revenue maker, it has a huge potential, do not pass on this now.

Councilman Tucker stated he does not disagree, but they need to prioritize.

Mr. Walden asked what happens if they back out now, the Bullards could sell to someone else and lose an extremely good opportunity.

Mayor Knowles reminded them about demolitions that also need to be done.

Mr. Walden stated keep this going.

Councilwoman Askren moved Resolution pass. Seconded by Councilman Rueger.

Mayor Knowles asked if there were any questions ?

Councilman Tucker stated the city is running low on money and they need to provide the basic services. He really does not want to borrow money and have to pay interest, he would prefer an option to purchase.

Mayor Knowles stated she will keep that in mind, and hopes that is good enough for Councilman Tucker. She then requested a roll call vote.

Roll was called by Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – no; Rueger – yes;

Curtis – no; Cooper – absent.

Mayor Knowles was then called upon to cast the tie breaking vote – YES.

Clerk-Treasurer Wolfe added it will be numbered 07-17.

Mayor Knowles stated the final item is first reading of the Sewer Bond Ordinance, passage of which is recommended by the Board of Works.

Councilman Curtis moved the ordinance pass first reading. Seconded by Councilman Rueger.

Mayor Knowles asked if there were any questions ?

Councilman Tucker asked if the Board investigated all options ?

Mayor Knowles replied yes, and there were several. She added the current project before them is for only approximately \$1M and will not require a rate increase. It is for the design of the LTCP.

Councilman Tucker stated they are talking about a huge chunk of change here.

Mayor Knowles agreed and added it is either \$4 or \$5M of the construction project to correct the CSO above the drinking water source. She added there will be no rate increase for the project, but the work is inevitable. She then requested a roll call vote.

Roll was called by the Clerk-Treasure with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;

Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried.

Councilman Curtis moved the rules be suspended. Seconded by Councilman Rueger.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;

Curtis – yes; Cooper – absent.

Mayor Knowles stated the motion carried.

Councilman Rueger moved the ordinance pass on second and third readings. Seconded by Councilman Curtis.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Tucker – yes; Rueger – yes;
Curtis – yes; Cooper – absent.
Mayor Knowles stated the motion carried unanimously.
Clerk-Treasurer Wolfe added it will be numbered 07-18.

Mayor Knowles stated under Audience is Dr. Rice with a request for a handicapped parking space in front of his office on Walnut Street.
Dr. Rice was not present.

Mayor Knowles asked if anyone in the Audience wished to address the Council ?
There was no response.

Mayor Knowles asked if there was any Old Business ?
There was none.

Mayor Knowles asked if there was any New Business ?
Councilman Tucker stated in reading the Board of Works minutes, he noticed the big yellow warehouse type building was declared junk ?
Mayor Knowles replied it had to be – it was a technicality She stated due to the street scaping that will be done, the building has to be removed. She added the city could demolish it themselves, or someone else to demolish – someone did approach them about doing it.
Councilman Tucker stated he is aware there is a storage problem within some of the city departments, and that building was appraised at \$122,600 – he was just curious.
Mayor Knowles stated the gentleman who had asked to be allowed to remove the building has now actually declined. She stated she asked the St. Comm if he though the street department could move the building, but he feels it would be more than they could do. She added that was a good point though, the city could use the storage.
Councilman Tucker stated he has not talked with the St. Comm about his needs for storage, he was just curious.
Mayor Knowles stated Comm. Epison mentioned they would have enough room at the street department for the building, though they would have to demolish another older building to accommodate it. She added they really feel a contractor would be needed to deassemble the building and reassemble it.
Councilman Curtis stated it is worth looking into but he feels it will be rather expensive.
Mayor Knowles agreed and added the estimate she has is around \$55,000.
Councilman Curtis replied a bargain is only a bargain if you can afford it, and added if it could be done for \$50,000; he would buy it right now. He then suggested the Mayor look into it and make the decision. He then mentioned the street scape – with the property they are buying, looking into buying, do they know about the railroad tracks?
Mayor Knowles replied that is part of the demolition – the railroad has those tracks listed on their abandoned railroad inventory, according to the website.
Councilman Curtis stated he would like to get the title to that, for renovation of the riverfront.
Mayor Knowles stated the grant writer is looking into all of that.

Councilman Curtis stated that is just a concern of his – but he is OK with it if everyone else is. He added he really would like clarification though.

Councilman Rueger asked if one of the attorneys could get with the CSX attorney ?

Attorney Higgins suggested possibly the grant writer has something in writing they could get a hold of.

Councilman Tucker agreed that was a legitimate concern.

Mayor Knowles stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she has no report.

2nd District Councilman Tucker stated he has no report.

3rd District Councilman Rueger stated he would like to thank Evansville Western Railroad for the work they are doing on the crossings around town, CSX never did anything, and he is happy with the results.

Mayor Knowles agreed.

4th District Councilman Curtis stated he has no report.

Councilman-at-Large Cooper was not present.

Mayor Knowles stated if there were no further business, she entertains a motion to adjourn.

Councilman Rueger moved the meeting be adjourned. Seconded by Councilwoman Askren.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously and adjourned the meeting.

Rosemary L. Knowles
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer